**Facsimile Cover Sheet****Date:** April 7, 2003

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**Subject:** U.S. Patent Application No. ~~09/542,101~~ <sup>09/524,101</sup>**Total number of pages including cover sheet:** 5

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Per your request, attached is a copy of the our response to the 9/26/02 Office Action, which was mailed 10/15/02.

**CONFIDENTIALITY NOTE:**

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Express Mail No. \_\_\_\_\_ First Class Mail ☒  
Date Mailed October 15, 2002 ☒  
Serial No. 091524101 ☒ Filing Date March 13, 2000 ☒ Confirmation No. 6972 ☒  
Inventor/Applicant Buchman et al.  
For: Insect p53 Tumor Suppressor Genes and Proteins ☒

- ☒ Amendment/Response (2p) ☐ Information Disclosure Statement  
☐ Appeal, Notice of ☐ w/refs. ☐ w/o refs.  
☐ Application \_\_\_\_\_ Pages ☐ Issue Fee Transmittal  
☐ Assignment Papers ☐ Petition to Extend Time  
☐ Declaration Of Inventorship ☐ Power of Attorney  
☐ Executed ☐ Unexecuted ☐ Copy ☐ Request Correction of Filing Receipt  
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PTO/SB/21 (08-00)

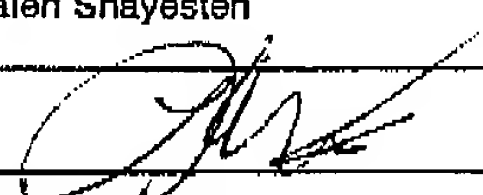
Approved for use through 10/31/2002. OMB 0651-0031

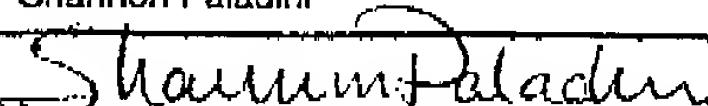
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	<b>Application Number</b>	09/542,101- 09/524,101	
	<b>Filing Date</b>	March 13, 2000	
	<b>First Named Inventor</b>	Buchman	
	<b>Group Art Unit</b>	1634	
	<b>Examiner Name</b>	Taylor, Janell E	
<b>Total Number of Pages in This Submission</b>	3	<b>Attorney Docket Number</b>	EX00-015C

<b>ENCLOSURES (check all that apply)</b>		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  return receipt postcard
<b>Remarks</b>		

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>	
Firm or Individual name	Laleh Shayesteh
Signature	
Date	October 15, 2002

<b>CERTIFICATE OF MAILING</b>			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: October 15, 2002			
Typed or printed name	Shannon Paladini		
Signature		Date	October 15, 2002

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re Patent Application of: Buchman *et al.*Application No.: 09/542,101 **524 101**

Filing Date: March 13, 2000

For: INSECT P53 TUMOR SUPPRESSOR GENES  
AND PROTEINS

Confirmation No.: 6972

Art Unit: 1634

Examiner: Taylor, Janell E.

Attorney Docket No: EX00-015C

**RESPONSE TO OFFICE ACTION**Assistant Commissioner of Patents  
Washington, D.C. 20231

Dear Commissioner:

This is responsive to the office action mailed 9/26/2002, making this a timely response. No fees are believed to be due at this time. However, if this belief is in error, the Commissioner is authorized to charge any required fees to deposit account number 50-1108.

**REMARKS**

On Paragraph 1 of the office action, the Examiner stated that the previous amendment of 12/12/2001 (resent on 1/7/2002) was non-responsive, since claims to the elected invention were canceled. Applicants respectfully disagree.

In response (dated August 9, 2001) to the restriction requirement of 6/20/2001, applicants elected isolated insect p53 nucleic acid molecules, and further elected species of SEQ ID NO:1 and SEQ ID NO:2. In the amendment of 12/12/2001 (resent on 1/7/2002), the broadest claim is correctly drawn to the elected invention, isolated insect p53 nucleic acid molecules.

As for SEQ ID NOs 23-32, these sequences were part of original claim 4. SEQ ID NOs: 23-32 are readable on the elected invention. Of these sequences, SEQ ID